

January 10, 2018
National Labor Relations Board
Attn: Office of Appeals

For my duration being a longshoreman, at the Port of Seattle it wasn't the best situation for me. I was employed from June of 1990 until August 2010. I worked for the Port a few times in the 1990's, and really became dedicated in April of 2004. I had made the decision to become a longshoreman, and also to make a career out of it. And establish some stability in my life. As working there for the ILWU Longshoreman 19, I was constantly being discriminated against, because of race, or some other reason like favoritism or nepotism.

Upon entry, I first made my way onto the longshoreman scene through the Bell Town office, or known as the unemployment office. The other people and I didn't work much back then, there wasn't a lot of work, and also most of the jobs were taken before we had a chance to get them. I got 3 or 4 shifts through that office at that time. I was considered as an unidentified casual, and my card number was 699. I got another job somewhere else because work there was slow at the time, and I needed something that was more stable for me. Then, years later I returned to the Port, so I could start working for them again. I came down to the union hall, and spoke with some of the longshoreman members I scene. They informed me of what I should do to get back to working down here again. About a few weeks later, I was able to talk with some other longshoreman and I received a dispatch card, and was working again. We didn't get much work as a casual. I think at first we were getting maybe one a week, and that was on a good week. Times weren't the best, but I made do. As things were going well, something has to come up. A lady named Deborah Lecuir saw my card, and entry system and said that I haven't been a longshoreman for a while, and that I didn't get in on a proper entry system to the job. Whereas the ILWU Local 19 was calling for all longshoreman to come on back, and to get started to working, because more work was needed to be completed. Ms. Lecuir of the PMA (Pacific Maritime Association) tried everything in her power to disqualify me, and to get me removed from the industry. I had to have the only friend I had down there at that

time to help me out, which was Robert Dalzell. There was a huge JPLRC meeting (Union 19 & PMA) about a few issues that arose from work down there, and also my issue as well. Mr. Dalzell took care of that situation.

Another incident that I had down there was back in June of 2009, a fellow longshoreman (Demond Williams) and I got into a disagreement. We were all at work one day, and we were on one of the vessels or ships that was in port. We were bickering back n forth with each other until Demond felt it necessary to approach me, and to get physical with me. He had struck me in my face with his hand in front of the foreman (Chris Black), and all the other longshoreman (B-Men Portland). Everyone saw it happen right in front of them, plus I had an actual witness to testify and the week before the hearing in the JPLRC, she for some reason didn't want to be a witness anymore. Her name was Diane Williams. I held my temper, and didn't return a punch to hit him back. I was man enough to walk away. I went to the office (JPLRC/Union 19) to tell them as to what had transpired at work, and that I didn't appreciate him hitting me in my face. At first, the union and everyone had supported me as to what I did. As well as commending me for not hitting the employee back, and just letting management deal with this type of issue. Then later as we came closer to the date of dealing with the situation, I was approached by a union official Jerome Johnson, and was told to drop it. Union 19 didn't want me to continue the charge, because the members of the union didn't want to have to deal with a situation like this, and didn't want the employer (PMA) wonder as to what were some of the things transpiring down at the Port of Seattle. Also too I was approached by other longshoreman, and they expressed the same reactions as Jerome, that I should just drop the charge and just go on, and to let it go. The president Matt Ventoza at the time expressed that the Union 19 was going to have problems with Mr. Oberti. They could see that I knew some of my rights, and that I wasn't going to be pushed around. The outcome of that hearing was that both he and I had the same type of disciplinary actions, but I didn't strike the other longshoreman, that my penalty was for bringing it to the JPLRC. The employer was now aware of the things going on at the job, and the union didn't want that. I wasn't able to get into any type of disagreement, scuffle, argument, or anything of that nature or I would lose my job, and no longer be a longshoreman. After this

incident, I guess the Union 19 and the PMA thought I was a bad pill and had an eye on me, or I was the black sheep of the bunch.

The next injunction brought against me, was where I was in a truck accident with another fellow longshoreman on the job. Another truck and I had collided together. The middle part of my trailer had clipped the other guy's front of his truck. Why my truck clipped the front of his truck, he hadn't stopped fully at the stop sign and his truck was in the intersection. They let us go, and we were fired for the day. Mike Williams was the foreman that day. I went back to the scene of the crime the next day to look at the evidence, and to take pictures of the skid marks and try to make sense as to how the accident may have happened. I presented the pictures to the union at the hearing, and I was reprimanded to be off for 7 days. They told me just put the pictures away, you won't need it. Matt Ventoza (President). I had no work and dispatch for any kind of work. As to where the other longshoreman, Bryce Lenz wasn't reprimanded for causing the accident, and it was his truck in the intersection in which caused the collision. He hadn't stopped fully at a stop sign. He got to go back to work the very next day. Again I was the one to blame for that. He (B. Lenz) has a father that works there, and he has a Super Cargo position down at the Port of Seattle. It had been determined it was my fault by the union before we even had the meeting.

During my time in August of 2010, we identified casuals were getting ready to be promoted to the B side of the union. Where you get more work, better jobs, benefits, insurance, a sense of security, and you were part of the union. The Coast called for 90 new members, and I was in the 90. Number 23 or 24 on the list I recall. We all had to take physicals and give urine samples to move on to the next level. I was unable to urinate in front of an individual who was observing me, after making me take my pants down, lifting my shirt and penis, and revolving in a circle in front of them. It was, and I felt very humiliated and belittled by going through that process. At no other time ever was I asked to complete a drug test like that there, or any other place of employment. I went home that evening, and later had spoken with a triage nurse and let her know what was going on with me from earlier that day. She had

instructed me to take the hottest shower I could, run some water in the faucet, and play some soft music as well. This should help you, and that you should be able to urinate. If this didn't work I was to come directly to the Emergency Room at Swedish Hospital, where they would drain my bladder with a catheter. Also as well she got me an appointment with my doctor that following Monday so my doctor could see what was going on. The Union 19 ILWU, said; I went to my mother's doctor, which wasn't true. My doctor at the time of this incident transpiring, I was already under the care of Dr. Reese for the last 5 to 8 years. He was my doctor before the incident had happened. He was a family doctor and was taking care of my grandma before she passed away from Dementia. He is a Family Care Doctor. Later that night around 11 11:30pm I was able to urinate for the second time that day. The first was at 7:30 or 8 o'clock that morning before I went to the clinic. I went to my doctor the following Monday as I had an appointment, and told him what had happened. Dr. Reese had diagnosed me with "Shy Bladder" or Paruresis which is a type of phobia to urinate in the real presence of others. He gave me a prescription and, a letter to give to the Union 19, and to the employer PMA, stating what symptoms that I was suffering from. Stating that I have a problem doing that (urinate) in public. I took the letter to the both entities (ILWU/PMA), I gave the letter to a secretary at the PMA, and I gave the letter to Chris Romisher at the Union. The JPLRC scheduled a meeting with the members, Cam Williams (Pres), Rich Austin (Vice P), Chris Romisher (Board), Ron Manwell (Board), Rudy Finney (Board) and other PMA officials. The union 19 had decided not to accept my doctor's letter. A letter that was written by my doctor, signed by him, and had the Pac-Med Hospital heading on the top of it. In essence they were stating that I had stolen the letter head, and wrote a letter myself to give to them. I wait for the JPLRC to meet, and Chris Romisher tells me that, the Union 19 and PMA won't accept my doctor's letter. I had to go back to the doctor's office a couple more times to get new letters from Dr. Reese. And I even had to ask him to type them up so the employer and union would believe me. I had a total of 3 or 4 letters now, one written and the other 2 or 3 were typed, and Dr. Reese stated he would go to a court of law and testify to my bladder situation. So after the second letter I gave to them, they still were accusing me of writing the letter. They even asked me what in the world is shy bladder or paresis? I said ok, and didn't argue with them, and went back and got another doctor's letter from Dr. Reese. He

then asked me as to why I was seeing him 3 or 4 times in a one or 2 week period, and what in the world was going on. He typed another letter for my work again, and stated what my problem was again, and that he would go to court and testify if he had to as to what medical condition I was suffering from. I gave them a total of 4 letters, also a prescription to help me with my problem. This entire time, all 4 times I was giving information to the ILWU and was pleading my case, and showing them my doctor letter's and notes pertaining to my disability. I suffer from Shy Bladder or Paresis which is a medical disability. I did absolutely everything that the union asked of me. I even accumulated over 4000 hours of work to become even being considered to be a "B man registered person." My mother had two surgeries going on, and a problem with her heart.

The Union ILWU Local 19 didn't help here in Seattle Washington. I was going back and forth constantly for 6- 9 months with no assistance from them at all. They didn't help me, they didn't try to help me, and they just gave me the run around. There were other members that brought doctor notes for this time of advancement. A member named Raymond Walker. He has many family members that are (A men) members, and in big positions (Crane Operator). The union 19 and the PMA accepted his letter, and he now he's a (A man) member, and has been working since the promotion. The union was bringing us up in 2 groups of 45, which totaled 90. The first 45 people I was in. Also in the 45 members that were being promoted that day, at least 10 to 15 of the members who took the physical were non-conclusive. What that means is that the test results weren't readable, the test couldn't decipher if the individual had failed or passed the test. In the normal world of work if you can't get a reading, you continue until you're negative or positive results. In the union world it's different, if you can't prove them as a fail then they pass. The person drinks a special liquid which blocks the test taker not to detect drugs in their system. The union 19 fought for all these people such as Max Proctor- whose father is a crane operator. Ali Veckich- whose father is or was Port Commissioner at that time. So basically it was a lot of nepotism and favoritism transpiring there. Also Raymond Walker whom had brought a doctor's letter, they believed him. Those were just a few of the people that were helped, as to where I was just swept out with the trash. One guy even tried to bribe

one of the urine examiners. Where one was hot for cocaine, meth-amphetamines, heroin, and many other drugs. I brought a note and did what the union asked, and had a medical disability, and was called a liar. They were defaming my character. However all this transpired I'm not sure.

However 15 people allowed to go upstairs, and be promoted to "B side" and their urine was diluted, and the others that brought in doctor notes were accepted, granted B status, and are now "A" men and still working at the Port of Seattle today. The Union ILWU "An injury to one is an injury to All" however helped those soon to be union members, and brother's and sister's. But didn't help me, an Black American Male whom had doctor's notes, did as the union 19 had asked of him, and also had a prescription explaining my situation. Why, because from day one Deborah Lecuir whom wanted to end my tenure there at the Port of Seattle was determined and focused on ending my employment at the ILWU Local 19 from when I first came into the business.

In summary:

No one in the ILWU Local 19 wanted to assist or aide me. It wasn't until after the 6 to 9 months when this incident first took place, and I didn't see anything happening at all to get this situation solved. To me it looked as if they were trying to waste time so I would have no recourse and just had to settle with whatever was the decision. That's where and why there are 2 complaints at the NLRB in Seattle Washington. As a matter of fact, because the Union 19 was taking so long, I went to file the charge with your place of business so I would have some recourse of action. Especially since the union wasn't helping. The NLRB wouldn't even have

been involved in this incident if the Union 19 had of tried to represent me against the employer, and stated to them that I had a medical condition. But it is a little difficult to go and fight for someone's rights, and stand up for them if you don't believe them. I even also had to acquire an attorney to hound them (Martha Schmidt) & (Leo McCugan) to actually go after them for not recognizing my shy bladder. Also to find out information as to what was going on with my case, because the union never told me anything. The Union ILWU 19 wasn't very helpful to me, Edmund Oberti. I have shown you all the facts of the case. Please sit down, and read this story again, I implore you to. Just my story as to what I endured as an employee of the ILWU 19 (PMA). Also how they neglected their duties as union officials to help their members. How they defamed my character as a person, and called me a liar. How they treated me, and blamed me for incidents that weren't my fault and I have witnesses as well.

The JPLRC never had my best interest or wanted to aide me at all. It took me going to the Seattle branch of the NLRB, getting an attorney, and also even going to the EEOC in Seattle, and notifying their establishment as well, did they take me seriously. For a year almost I did what they asked of me. They had already made up their minds to not help me, or to go out of their way in any form or fashion. Deborah Lecuir (PMA), and Matt Ventoza (ILWU 19) who stated that we would have problems with Mr. Oberti is going to be tough. They decided that if I stand up, one black man alone to the ILWU 19 that everyone would be doing it. It's a different world at the Port of Seattle being a Black American longshoreman as to being one of White America.

They did everything to ignore me totally. No one believed in or would help a Black American man stand up for his rights here at the Port of Seattle. Many other Black or African American men also weren't and haven't been or being helped either. A man named Gabriel Byrne has had to start a different group from within the longshoreman, that it's a group for minorities if they need help to fight against the Union 19 if they help or not, and also the employer PMA. Here's a list of the things that I did

- 1) That I couldn't urinate on command when being observed

- 2) That I had a disability shy bladder, or Paresis.
- 3) I went to a physician to get a diagnosis, and it was from my family doctor
- 4) The Union 19 said on 4 different occasions I lied about the letters, and had insinuated that I stole letter head.
- 5) They said, I wrote the letter's until my doctor typed them
- 6) My doctor wrote 3 or 4 letter's, and gave me a prescription, and quoted he would go to a court of law and testify to it
- 7) My Union 19 whom I believed in "An injury to one" Didn't allow me to come to any of the meetings concerning me.
- 8) I called the union in San Francisco, Local 7 I believe to find out what was going on, Local ILWU 19 lost it and got so upset with me about that.
- 9) I worked over 4000 hours there.
- 10) I have also endured years of mental and emotional abuse from the JPLRC and the board members in San Francisco.

However, when you have powerful men who play games and allow nepotism and favoritism to continually happen, continue holding people down, and not listening to their problems of their members it creates hostile work environments for everyone.

There are powerful people behind the scenes who play the games with people's lives, and let their own relatives advance at the Port of Seattle. It is not a union, and especially not one that stands for a slogan "An injury to one is an injury to all." It's only to family members, and a certain other few that they decide on.